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GILBRETH & ASSOC

Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)Docket No.
26060/06

1-11-05

In Re Application Of: Guy L. Clifton

Serial No.
10/068,221Filing Date
02/06/02Examiner
D.C. ComstockGroup Art Unit
3732#9/Petition
to
P.P.U.V.I.C

Invention: Retractor and/or Distractor For Anterior Cervical Fusion

ASSISTANT COMMISSIONER FOR PATENTSAttention: Office of PetitionsBox DAC
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

RECEIVED

JAN 18 2005

1. A proposed reply to the above-identified Office Action: Is enclosed. was filed on _____The proposed reply is in the form of: Response to Office Action

OFFICE OF PETITIONS

2. The issue fee: Is enclosed. was paid on _____3. A small entity declaration: Is enclosed. was filed on _____4. The abandoned application was a: design application. utility application. plant application.5. A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.6. Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Serial No. 10/068,221	Filing Date 02/06/02	Examiner D.C. Comstock	Group Art Unit 3732
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Invention: Retractor and/or Distractor For Anterior Cervical Fusion		
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Calculation and Payment of Fees

Enclosed are the following fees:

7. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:	\$750.00
8. <input type="checkbox"/> Fee for amendment in the amount of:	_____
9. <input type="checkbox"/> Fee for extension of time to reply to Office Action in the amount of:	_____
10. <input type="checkbox"/> Issue fee in the amount of:	_____
11. <input type="checkbox"/> Continuing application filing fee in the amount of:	_____
12. <input type="checkbox"/> Terminal disclaimer fee in the amount of:	_____
13. <input type="checkbox"/> _____	_____

Total fees enclosed: **\$750.00**

The fee of **\$750** is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **07-1245**

A duplicate copy of this sheet is enclosed.

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Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.



Signature

J. M. (Mark) Gilbreth, Reg. No. 33,388

Dated:

12/21/04

I certify that this document and fee is being deposited on [redacted] with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.
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Signature of Person Mailing Correspondence
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Typed or Printed Name of Person Mailing Correspondence
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CC: